

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE METRO GANG STRIKE FORCE

In the Matter of Quentin Edward Green

**NOTICE OF  
HEARING**

TO: Quentin Edward Green, STREET ADDRESS REDACTED, St. Paul, MN 55106

YOU ARE HEREBY NOTIFIED that a hearing on this matter will be held on **October 28, 2010 at 9:30 a.m. in a courtroom** at the Office of Administrative Hearings, 600 Robert Street North, St. Paul, MN 55164.

The Chief Administrative Law Judge, Office of Administrative Hearings, has assigned this matter to Manuel J. Cervantes, Administrative Law Judge, Office of Administrative Hearings, telephone (651) 361-7945.

**All mail sent to the Administrative Law Judge should be directed to P.O. Box 64620, St. Paul, Minnesota 55164-0620.**

The hearing will be conducted pursuant to the contested case procedures set out in Chapter 14 of Minnesota Statutes, and the Rules of the Office of Administrative Hearings, Minn. R. 1400.8505-8612. After the hearing is completed, the Administrative Law Judge will prepare a written decision.

A copy of the statutes and rules that govern how the hearing will be conducted may be purchased from the Minnesota Book Store, telephone (651) 297-3000, and is also available from the Minnesota Revisor of Statutes at [www.revisor.leg.state.mn.us](http://www.revisor.leg.state.mn.us). Copies of the rules of the Office of Administrative Hearings may also be found at [www.oah.state.mn.us](http://www.oah.state.mn.us)

The League of Minnesota Cities Insurance Trust (LMCIT) will represent the Metro Gang Strike Force at the hearing and intends to call the following witness(es) to testify:

Danielle Monteith, LMCIT Claims Adjuster

## **ALLEGATIONS**

Claimant alleges in his Public Claim Report, filed with LMCIT on June 18, 2010, that a 2004 Chevrolet vehicle was seized by an officer of the Metro Gang Strike Force during an arrest for suspicion of unlawful possession of a controlled substance in the City of St. Paul, Minnesota on July 11, 2007.<sup>1</sup> Mr. Green claims the vehicle is valued at \$4000.<sup>2</sup> Mr. Green was arrested and booked. The vehicle was impounded. Law enforcement did not provide him with a Notice of Seizure and Intent to Forfeit Property. The seized vehicle and cash was not returned to Claimant.

The LMCIT will submit the following documents as evidence:

1. Exhibit 1 Claimant's Notice of Appeal, filed with LMCIT July 12, 2010.
2. Exhibit 2 Claimant's Public Claim Report, filed with LMCIT on June 18, 2010;
3. Exhibit 3 LMCIT Memo; dated June 23, 2010;
4. Exhibit 4 LMCIT Letter to Claimant, dated June 23, 2010; and
5. Exhibit 5 LMCIT Record Search, dated June 21, 2010.

## **ISSUES**

1. Did the Metro Gang Strike Force improperly seize a vehicle and cash from Claimant?
2. If so, what is the appropriate amount or value of the property and cash which should be returned to the Claimant?

## **ADDITIONAL INFORMATION**

1. Claimant's failure to appear for the hearing will result in cancellation of the hearing and the Administrative Law Judge will make a decision based on the record. A written copy of the Judge's order will be sent to the parties.
2. If any party has good cause for requesting a continuance of the hearing, the request must be made in writing to the Administrative Law Judge at least five days prior to the scheduled date. A copy of the request must be served on the Metro Gang Strike Force c/o LMCIT, 145 University Avenue, St. Paul, MN 55103-2044.
3. If you decide you do not want to appear at the hearing and want the Judge to decide your claim based on the record, please notify the LMCIT in writing before the

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<sup>1</sup> In Mr. Green's Notice of Appeal (NOA), filed July 12, 2010, he claims the vehicle was a 2004 Cadillac (sic) Escalade.

<sup>2</sup> In his NOA, Mr. Green added additional claims for cash in the amounts of \$2,700 and \$1,300 seized in July 2007 and November 2007, respectively.

hearing date. The Judge will send you a written copy of his order within 30 days after he receives notice that you will not be appearing.

4. At the hearing, all parties have the right to be represented by an attorney or represent themselves. The parties will have the opportunity to be heard orally, to present evidence, cross-examine witnesses, and to submit evidence and argument. A digital recording will be made of the hearing, a copy of which may be obtained for a charge of \$10.00. Parties may also request that a court reporter prepare a written transcript of the testimony at their own expense.

5. Enclosed you will find the following information provided by the Office of Administrative Hearings' website to assist you in preparing for the hearing: *Contested Case Hearing Preparation* and *Witness Guide*. If you need more information, *A Guide to Participating in Contested Case Proceedings* is available at the Office of Administrative Hearings' website [www.oah.state.mn.us](http://www.oah.state.mn.us) or by calling 651-361-7900.

6. Persons attending the hearing should bring all evidence bearing on the case, including any photographs, records, other documents, and witness(es).

7. The parties are entitled to the issuance of subpoenas to compel witnesses to attend the hearing. Requests for subpoenas for the attendance of witnesses or the production of documents at the hearing must be made in writing to the Administrative Law Judge. A copy of the subpoena must be served on the other party(ies). A subpoena request form is available at [www.oah.state.mn.us](http://www.oah.state.mn.us) or by calling 651-341-7600.

8. The Office of Administrative Hearings conducts proceedings in accordance with the Minnesota Rules of Professional Conduct and the Professionalism Aspirations adopted by the Minnesota Supreme Court.

9. Any party who needs an accommodation for a disability in order to participate in this hearing process may request one. Examples of reasonable accommodations include wheelchair accessibility, an interpreter, and Braille or large-print materials. If any party requires an interpreter, the Administrative Law Judge must be notified promptly. To arrange for an accommodation or an interpreter, contact the Office of Administrative Hearings at P.O. Box 64620, St. Paul, Minnesota 55164-0620, or call (651) 361-7900 (voice) or (651) 361-7878 (TTY).

Dated: August 30, 2010

s/Manuel J. Cervantes  
MANUEL J. CERVANTES  
Administrative Law Judge